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Attorney's Docket No. 628-318CT

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: David McCray Peele
Serial No.: 09/735,177
Filed: December 12, 2000
For: TOBACCO PROCESSING

Group Art Unit: 1731
Examiner: Walls

Date: August 20, 2002

Commissioner for Patents
Washington, DC 20231

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RESPONSE A

Dear Sirs:

This Amendment is responsive to the Office Action of February 22, 2002.

In the Claims:

Please add new Claim 58.

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58. (New) The method of Claims 14, 15, 16, 17, 18, 19, 20 or 21 wherein the step of producing heated air and nitric oxide gas comprises the act of burning a propane fuel in the heat exchange unit.

REMARKS

Claims 1-58 are pending.

Restriction to one of the following inventions has been required under 35 U.S.C. § 121:

Invention I: Claims 1-7, drawn to a method for modifying a tobacco curing barn classified in class 131, subclass 299; or

Invention II: Claims 8-13, drawn to a method for curing tobacco classified in class 131, subclass 299.

Applicant had elected, with traverse, Group I (Claims 1-7) for further prosecution. The Applicant respectfully continues to traverse the Restriction Requirement.

There is a technical relationship existing between Groups I and II that involves the same special technical features, namely the curing of tobacco using a modified curing barn. It is this technical feature that defines the contribution, with each of the groups,

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